

CONDITIONS OF APPROVAL

PROJECT: PA 2022-19/CUP 2022-06
PROJECT NAME: CRV Solutions
PROJECT LOCATION: APN: 378-290-016
APPROVAL DATE:
EFFECTIVE DATE:
EXPIRATION DATE:

GENERAL CONDITIONS

1. Planning Application (PA) No. 2022-19 (Conditional Use Permit (CUP) No. 2022-06) consists of a request by Skedio Studio to legalize an existing recycling kiosk that is located within the parking lot of an existing commercial center. The project is located near the intersection of Riverside Drive and Lakeshore Drive at 16750 Lakeshore Drive (APN: 378-290-016).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and its Consultants (Indemnitees) from any claim, action, or proceeding against the Indemnitees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning approval, implementation and construction of CUP 2022-06, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension or modification of CUP 2022-06 or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.
3. Within 30 days of Project approval and prior to issuance of any building permits, the applicant shall sign and complete an "Acknowledgement of Conditions," and shall return the executed original to the Community Development Department for inclusion in the case records.

PLANNING DIVISION

4. Conditional Use Permit No. 2022-06 shall lapse and become void two years following the date on which the conditional use permit became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the conditional use permit is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the conditional use permit approval pursuant to subsections (a), (b), and (c) of Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D.2. Subject to the provisions of

LEMC Section 17.415.070.I, a conditional use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the Conditional Use Permit application.

5. The applicant shall meet all applicable City Codes, County, State and Federal laws.
6. The applicant shall at all times comply with Section 17.176 (Noise Ordinance) of the LEMC.
7. The Conditional Use Permit granted herein shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of this approval. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the LEMC, Title 17 in a similar manner as a new application.
8. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the Section 17.415.070 of the LEMC, in a similar manner as a new application.
9. Business hours for the reverse vending machines are from 7:00 AM through 7:00 PM Monday through Friday and from 10:00 AM through 6:00 PM on weekends and holidays. The operating hours for the in-person recycling services are from 9:00 AM through 5:00 PM Monday through Friday and from 10:00 AM through 6:00 PM on weekends and holidays. In the event the applicant proposes to modify the hours of operation, the modification shall be subject to review by the Community Development Director. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
10. Any outdoor activity will require a temporary use permit or special event permit, as applicable, shall be obtained from the City of Lake Elsinore prior to conducting any outdoor events on the subject property.
11. If operation of this use triggers concerns related to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this Conditional Use Permit may be referred back to the Planning Commission for subsequent review at a Public Hearing. If necessary, the Commission may modify, or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
12. No individual signs are approved as part of this approval. The applicant or designee shall submit an application for a sign permit, pay appropriate fees and receive approval from the Community Development Department for any sign(s) installed at the project site.
13. Graffiti shall be removed within 24 hours.
14. There shall be no loitering in or around the business. No loitering signs shall be installed.
15. The vicinity of the establishment shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
16. The facility shall provide adequate lighting for security.

17. The facility shall provide bougainvillea plants planted in a planter consistent with the Floor Plan/Elevations plans dated 02.07.22 (Sheet A102) submitted for the project. The plants shall be maintained at all times to insure sufficient landscape screening is provided for the facility.
18. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES:

19. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity.
20. Project shall have a minimum of four (4) trash cans onsite; two (2) for general trash and two (2) for non-CRV recyclables. Trash cans shall have lids to limit discharge.
21. Two wet bins shall be provided for dumping of liquids from containers. The wet bins shall be dumped in the sanitary sewer daily.
22. Trash shall be kept picked up at all times; trash cans shall be emptied when full and at the close of business and disposed of using CR&R.
23. Project shall have a spill kit onsite.
24. Project shall use dry clean-up methods and/or a mop and bucket for daily cleanup. Disposal of mop water shall be to sanitary sewer.
25. The project shall power wash the site twice a month; BMPs shall be deployed to capture water used in the power washing activity.
26. Project shall be manned during all operational hours.
27. Project is responsible for ensuring that pollutants from the site do not enter the storm drain system. Lake Elsinore Municipal Code Section 14.08 defines "Pollutant" as:

"Pollutant" means anything which causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Pollutants may include but are not limited to paints, oil and other automotive fluids, soil, rubbish, trash, garbage, debris, refuse, waste, ...hazardous waste, chemicals,... animal waste, offensive matter of any kind.

BUILDING DIVISION

28. The applicant shall obtain manufacturer's Building specifications for the kiosk structure.

- 29. The applicant shall obtain an electrical permit for any electrical on the exterior or interior of the trailers.
- 30. The applicant shall obtain a building permit for the facility. A business license shall be obtained and kept current.
- 31. The facility shall maintain ADA accessibility.
- 32. Homeless prevention plan is required.

CITY OF LAKE ELSINORE FIRE MARSHAL

- 33. The facility shall obtain one (1) fire extinguisher with a 2A-10BC rating per site.
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I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City of Lake Elsinore Planning Commission _____. I also acknowledge that all Conditions shall be met as indicated.

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____